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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHEN, CHONGSHAN

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/784,352

Applicant(s)

HEUER, JOERG

Examiner

Chongshan Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 12-13 and 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Machihara et al. [“Machihara”, 6,233,578].

As per claim 1, Machihara discloses a method for querying a database with database contents with a database structure comprising:

placing a query in a query structure that differs from the database structure in that the query structure and the database structure; at least partially transmitting a reference logic together with the query and/or is at least partially present in the database (Machihara, col. 3, lines 26-62, “the present information retrieval system allows the user to retrieve desired information from a plurality of storage locations and database systems by simply specifying retrieval content and retrieval conditions using words familiar to the user, without having to know the names for the relevant database or their system structures”).

As per claim 2, Machihara teaches all the claimed subject matters as discussed in claim 1, and further discloses the reference logic is stored in the database (Machihara, col. 3, lines 33-62).

Claims 12-13 and 23-24 are rejected on grounds corresponding to the reasons given above for claims 1-2.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-11, 14-22 and 25-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Machihara et al. ["Machihara", 6,233,578].

As per claim 3, Machihara teaches all the claimed subject matters as discussed in claim 1, and further discloses reference information describes database structures and reference logic (Machihara, col. 3, lines 33-62, col. 5, lines 29-45, col. 6, lines 17-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a standard descriptors to describe the standard structure, and the query structure and the database structure are described by these standard descriptors (GD) and/or more special descriptors (HD), wherein these more special descriptors (HD) reference the standard descriptors (GD) via the reference logic in order to convert the query into a structure that is understandable by the database.

As per claim 4, Machihara teaches all the claimed subject matters as discussed in claim 3, and further discloses standard descriptors (GD) present in the query structure are compared with the standard descriptors (GD) of the database, wherein identical standard descriptors (GD) are evaluated for the query (Machihara, col. 10, line 52 – col. 11, line 65).

As per claim 5, Machihara teaches all the claimed subject matters as discussed in claim 3, and further discloses the special descriptors (HD) present in the query structure are compared with the special descriptors (HD) of the database, wherein identical special descriptors (HD) are evaluated for the query (Machihara, col. 10, line 52 – col. 11, line 65).

As per claim 6, Machihara teaches all the claimed subject matters as discussed in claim 5, and further discloses dissimilar special descriptors (HD) are reviewed to determine whether a computation logic is present in the database, so that a respective special descriptor (HD) of the database structure can be computed directly from the corresponding special descriptor (HD) of the query structure by means of the computation logic (Machihara, Fig. 2 & 3, col. 10, line 52 – col. 11, line 65).

As per claim 7, Machihara teaches all the claimed subject matters as discussed in claim 6, and further discloses the computation logic is stored in the database (Machihara, Fig. 2 & 3).

As per claim 8, Machihara teaches all the claimed subject matters as discussed in claim 7, and further discloses for dissimilar special descriptors (HD) for which no computation logic is present, a review is made to determine whether a reference logic to standard descriptors (GD) is at least partially present in the database (Machihara, Fig. 1-3, col. 10, line 52 – col. 11, line 65).

As per claim 9, Machihara teaches all the claimed subject matters as discussed in claim 7, and further discloses for dissimilar special descriptors (HD) for which no computation logic and/or no reference logic is present, a review is made to determine whether the reference logic was transmitted together with the query (Machihara, Fig. 1-3, line 52 – col. 11, line 65).

As per claim 10, Machihara teaches all the claimed subject matters as discussed in claim 7, and further discloses atomic elements defining the information and/or link of a special

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descriptor (HD) are used as the computation logic (Machihara, Fig. 1-3, line 52 – col. 11, line 65).

As per claim 11, Machihara teaches all the claimed subject matters as discussed in claim 10, and further discloses the atomic elements used are semantic, physical and linking atomic elements to define the semantic meaning, the physical memory structure, and the link between memory structure and semantics (Machihara, Fig. 1-3, line 52 – col. 11, line 65).

Claims 14-22 and 25-33 are rejected on grounds corresponding to the reasons given above for claims 3-11.


### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (703) 305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

CC  
March 21, 2003

  
SHAHID AL ALAM  
PATENT EXAMINER